

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:
All Actions

MDL No. 2419
Master Docket No.: 1:13-md-2419-RWZ

Honorable Rya W. Zobel

PLAINTIFFS' STEERING COMMITTEE'S
MEMORANDUM IN OPPOSITION TO PREMIER ORTHOPAEDIC ASSOCIATES,
ET AL'S JOINDER AND MOTION TO AMEND AND CERTIFY ORDER FOR
INTERLOCUTORY APPEAL

The PSC respectfully opposes Premier Orthopaedic Associates, et al.'s Joinder and Motion to Amend and Certify Order for Interlocutory Appeal (Doc. 2416). Through that motion and joinder, the Premier Defendants request the same relief as requested in the Tennessee Clinic Defendants' Motion to Amend and Certify Order for Interlocutory Appeal (Doc. 2356). The PSC's opposition to that requested relief is fully briefed in the PSC's opposition memorandum filed November 9, 2015 (Doc. 2393). The PSC hereby relies upon and incorporates by reference its opposition memorandum (Doc. 2393) as its opposition to the present motion. The Premier Defendants' motion should be denied for the same reasons.

Dated: November 30, 2015

Respectfully submitted,

/s/ Kimberly A. Dougherty
Kimberly A. Dougherty (BBO#658014)
JANET, JENNER & SUGGS, LLC
31 St. James Ave., Suite 365
Boston, MA 02116
Telephone: (617) 933-1265
kdougherty@myadvocates.com

Plaintiffs' Steering Committee

Thomas M. Sobol
Kristen A. Johnson
HAGENS BERMAN SOBOL SHAPIRO
LLP
55 Cambridge Parkway, Suite 301
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003
tom@hbsslaw.com
kristenj@hbsslaw.com

Plaintiffs' Lead Counsel

Elizabeth J. Cabraser
Mark P. Chalos
Annika K. Martin
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
150 Fourth Avenue, North, Suite 1650
Nashville, TN 37219
Telephone: (615) 313-9000
Facsimile: (615) 313-9965
ecabraser@lchb.com
mchalos@lchb.com
akmartin@lchb.com

Marc E. Lipton
LIPTON LAW
18930 W. 10 Mile Road
Southfield, MI 48075
Telephone: (248) 557-1688
Facsimile: (248) 557-6344
marc@liptonlawcenter.com

Patrick T. Fennell
CRANDALL & KATT
366 Elm Avenue, S.W.
Roanoke, VA 24016
Telephone: (540) 342-2000
pfennell@crandalllaw.com

Mark Zamora
ZAMORA FIRM
6 Concourse Way, 22nd Floor
Atlanta, GA 30328
Telephone: (404) 451-7781
Facsimile: (404) 506-9223
mark@markzamora.com

J. Gerard Stranch, IV
Benjamin A. Gastel
BRANSETTER, STRANCH &
JENNINGS PLLC
227 Second Avenue North
Nashville, TN 37201
Telephone: (615) 254-8801
Facsimile: (615) 255-5419
gerards@branstetterlaw.com
beng@branstetterlaw.com

Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Kimberly A. Dougherty, hereby certify that I caused a copy of the above Memorandum In Opposition To Premier Orthopaedic Associates, et al's Joinder and Motion to Amend and Certify Order for Interlocutory Appeal to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: November 30, 2015

/s/ Kimberly A. Dougherty
Kimberly A. Dougherty